

REMARKS

Claims 1 through 39 were presented for examination and were rejected.

The applicants respectfully traverse the rejections and request reconsideration in light of the following comments.

35 U.S.C. 103 Rejection of Claims 1-2, 6, 8-12, 16, 18-21, 25-27, 30-35, 39

Claims 1, 2, 6, 8 through 12, 16, 18 through 21, 25 through 27, 30 through 35, and 39 were rejected under 35 U.S.C. 103(a) as being unpatentable over D.B. Crosbie, U.S. Patent Publication No. 2002/0035699, published March 21, 2002 (hereinafter "Crosbie") in view of Applicant's admitted prior art, which is disclosed in the background section of U.S. Patent Publication No. 2005/0070303 (hereinafter "the applicants' admitted prior art"). The applicants respectfully submit that the claims are traversed.

Claim 1 recites:

1. A method comprising:

determining that a first wireless terminal at a location can communicate with a second wireless terminal with a level of service; and

transmitting to a third wireless terminal *an indication that said third wireless terminal should be able to communicate with said second wireless terminal with said level of service at said location.*

[emphasis supplied]

Nowhere does Crosbie or the applicants' admitted prior art teach or suggest, alone or in combination, what claim 1 recites – namely the transmission of an indication that the third wireless terminal should be able to communicate with the second wireless terminal with the considered level of service at the location of the first wireless terminal.

The Office action states:

Crosbie does not specifically disclose a method comprising transmitting to a third wireless terminal an indication that said third wireless terminal should be able to communicate with said second wireless terminal with said level of service at said location.

The applicants agree.

The method disclosed in the applicants' admitted prior art comprises informing a wireless terminal's user to repeatedly move in various directions until the terminal converges on a location with an adequate level of service. But this is not the same concept

as that recited in the claim. There are important distinctions between the method disclosed in the applicants' admitted prior art and the method recited in the claim; the key distinctions are summarized here.

- First, the prior art method indicates that the level of service is inadequate at a wireless terminal's present location. In contrast, the claimed method indicates a specific location where a particular level of service has been experienced by another terminal.
- Second, the prior art method guides the terminal in a direction towards a better level of service, but does not indicate to the terminal a specific location with a particular level of service. In contrast, the claimed method does indicate a specific location with a particular level of service.
- Third, because the information conveyed to the terminal in the prior art method specifies a *direction*—instead of specifying a *location*—the prior art method might take multiple iterations to guide the wireless terminal to a better level of service. In contrast, the claimed method informs the terminal of the specific location of a particular level of service in one step.
- Fourth, the prior art method might not converge at all to an acceptable level of service. In contrast, the claimed method points the terminal exactly to a location at which a particular level of service be found.

Clearly, the difference between the prior art and the present invention is significant, particularly to the wireless terminal user who is trying to find an acceptable level of service, quickly and reliably.

For these reasons, the applicants respectfully submit that the rejection of claim 1 is traversed.

Furthermore, because claims 2, 6, and 8 are dependent on claim 1, the applicants respectfully submit that they too are also traversed.

Claim 9, as amended, recites:

9. A method comprising:

receiving from a first wireless terminal a measurement of a characteristic of an electromagnetic signal radiated by a source, wherein said measurement is associated with a location; and

transmitting to a second wireless terminal *an indication that said second wireless terminal should be able to receive at said location said electromagnetic signal* with said measurement exceeding a threshold.

[emphasis supplied]

Nowhere does Crosbie or the applicants' admitted prior art teach or suggest, alone or in combination, what claim 9 recites – namely the transmission of an indication that the second wireless terminal should be able to receive, at the location with which the measurement from the first terminal is associated, the electromagnetic signal of interest with the measurement of the characteristic of interest exceeding a threshold.

The Office action states:

Crosbie does not specifically disclose a method comprising transmitting to a second wireless terminal an indication that said second wireless terminal should be able to receive at said location said electromagnetic signal [...].

The applicants agree.

The method disclosed in the applicants' admitted prior art comprises informing a wireless terminal's user to repeatedly move in various directions until the terminal converges on a location with an adequate level of service. But this is not the same concept as that recited in the claim. The key distinctions between the method disclosed in the applicants' admitted prior art and the method recited in the claim are summarized here.

- First, the prior art method indicates that the level of service is inadequate at a wireless terminal's present location. In contrast, the claimed method indicates a specific location where the terminal should be able to receive an electromagnetic signal above a particular measurement threshold.
- Second, the prior art method guides the terminal in a direction towards a better level of service, but does not indicate to the terminal a specific location with a particular level of service. In contrast, the claimed method does indicate a specific location.
- Third, because the information conveyed to the terminal in the prior art method specifies a *direction*—instead of specifying a *location*—the prior art method might take multiple iterations to guide the wireless terminal to a better level of service. In contrast, the claimed method informs the terminal of the specific location in one step.
- Fourth, the prior art method might not converge at all to an acceptable level of service. In contrast, the claimed method points the terminal exactly to a meaningful location.

Clearly, the difference between the prior art and the present invention is significant, particularly to the wireless terminal user who is trying to find an acceptable level of service, quickly and reliably.

For these reasons, the applicants respectfully submit that the rejection of claim 9 is traversed.

Furthermore, because claims 10, 11, 12, and 16 depend on claim 9, the applicants respectfully submit that they too are also traversed.

Claim 18 recites:

18. A method comprising:

receiving information comprising a location;

determining that a measurement of a characteristic of a first electromagnetic signal transmitted by a first wireless terminal exceeds a threshold; and

transmitting to a second wireless terminal *an indication that said second terminal should be able to communicate at said location with an access point such that said access point receives a second electromagnetic signal transmitted by said second wireless terminal with said measurement exceeding said threshold.*

[emphasis supplied]

Nowhere does Crosbie or the applicants' admitted prior art teach or suggest, alone or in combination, what claim 18 recites – namely the transmission of an indication that the second terminal should be able to communicate, at the received location, with the access point such that the access point receives the second electromagnetic signal transmitted by the second terminal with the measurement of the characteristic of interest exceeding a threshold.

The Office action states:

Crosbie does not disclose a method comprising receiving a location; and transmitting to a second wireless terminal an indication that said second wireless terminal should be able to communicate at said location with an access point [...].

The applicants agree.

The method disclosed in the applicants' admitted prior art comprises informing a wireless terminal's user to repeatedly move in various directions until the terminal converges on a location with an adequate level of service. But this is not the same concept as that recited in the claim. The key distinctions between the method disclosed in the applicants' admitted prior art and the method recited in the claim are summarized here.

- The first point is that the prior art method indicates that the level of service is inadequate at a wireless terminal's present location. In contrast, the claimed method indicates a specific location where an access point communicating with a terminal at

that specific location should be able to receive an electromagnetic signal, transmitted by the terminal, above a particular measurement threshold.

- The second, third, and fourth points are the same as those that are listed above and with respect to claim 9.

For these reasons, the applicants respectfully submit that the rejection of claim 18 is traversed.

Because claims 19, 20, 21, and 25 depend on claim 18, the applicants respectfully submit that they too are traversed.

Claim 26 recites:

26. An apparatus comprising:

a processor for determining that a first wireless terminal at a location can communicate with a second wireless terminal with a level of service; and

a transmitter for transmitting to a third wireless terminal *an indication that said third wireless terminal should be able to communicate with said second wireless terminal with said level of service at said location.*

[emphasis supplied]

Nowhere does Crosbie or the applicants' admitted prior art teach or suggest, alone or in combination, what claim 26 recites – namely the transmission of an indication that the third wireless terminal should be able to communicate with the second wireless terminal with the considered level of service at the location of the first wireless terminal. For the reasons described above and with respect to claim 1, the applicants respectfully submit that the rejection of claim 26 is traversed.

Because claims 27, 30, and 31 depend on claim 26, the applicants respectfully submit that the rejection of them is also traversed.

Claim 32 recites:

32. An apparatus comprising:

a receiver for receiving from a first wireless terminal a measurement of a characteristic of an electromagnetic signal radiated by a source, wherein said measurement is associated with a location; and

a transmitter for transmitting to a second wireless terminal *an indication that said second wireless terminal should be able to receive at said location said electromagnetic signal with said measurement exceeding a threshold.*

[emphasis supplied]

Nowhere does Crosbie or the applicants' admitted prior art teach or suggest, alone or in combination, what claim 32 recites – namely the transmission of an indication that the second wireless terminal should be able to receive, at the location with which the measurement from the first terminal is associated, the electromagnetic signal of interest with the measurement of the characteristic of interest exceeding a threshold. For the reasons described above and with respect to claim 9, the applicants respectfully submit that the rejection of claim 32 is traversed.

Because claims 33, 34, 35, and 39 depend on claim 32, the applicants respectfully submit that the rejection of them is also traversed.

35 U.S.C. 103 Rejection of Claims 3-5, 7, 13-15, 17, 22-24, 28-29, 36-38

Claims 3 through 5, 7, 13 through 15, 17, 22 through 24, 28 through 29, and 36 through 38 were rejected under 35 U.S.C. 103(a) as being unpatentable over Crosbie and the applicants' admitted prior art, in further view of G.G. Reddy et al, U.S. Patent Publication No. 2004/0147254, published July 29, 2004 (hereinafter "Reddy"). The applicants respectfully submit that the claims are traversed.

Claims 3, 4, 5, and 7 depend on claim 1, and Reddy fails to cure deficiencies of Crosbie or the applicants' admitted prior art with respect to claim 1. Therefore, the applicants respectfully submit that claims 3, 4, 5, and 7 are traversed.

Claims 13, 14, 15, and 17 depend on claim 9, and Reddy fails to cure deficiencies of Crosbie or the applicants' admitted prior art with respect to claim 9. Therefore, the applicants respectfully submit that claims 13, 14, 15, and 17 are traversed.

Claims 22, 23, and 24 depend on claim 18, and Reddy fails to cure deficiencies of Crosbie or The applicants' admitted prior art with respect to claim 18. Therefore, the applicants respectfully submit that claims 22, 23, and 24 are traversed.

Claims 28 and 29 depend on claim 26, and Reddy fails to cure deficiencies of Crosbie or The applicants' admitted prior art with respect to claim 26. Therefore, the applicants respectfully submit that claims 28 and 29 are traversed.

Claims 36, 37, and 38 depend on claim 32, and Reddy fails to cure deficiencies of Crosbie or The applicants' admitted prior art with respect to claim 32. Therefore, the applicants respectfully submit that claims 36, 37, and 38 are traversed.

Request for Reconsideration Pursuant to 37 C.F.R. 1.111

Having responded to each and every ground for rejection in the Office action mailed November 21, 2005, applicants request reconsideration of the instant application pursuant

to 37 CFR 1.111 and request that the Examiner allow all of the pending claims and pass the application to issue.

Should there remain unresolved issues the applicants respectfully request that Examiner telephone the applicants' attorney at 732-578-0103 x11 so that those issues can be resolved as quickly as possible.

Respectfully,
DeMont & Breyer, LLC

By Jason DeMont
Jason Paul DeMont
Reg. No. 35793
Attorney for Applicants
732-578-0103 x11

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DeMont & Breyer, L.L.C.
Suite 250
100 Commons Way
Holmdel, NJ 07733
United States of America